<u>REMARKS</u>

The present application has been reviewed in light of the Office Action dated April 9, 2008. Claims 1-19 are pending in this application, of which Claims 1, 6, 7, 9, 14, and 15 are in independent form. Favorable reconsideration is requested.

The Office Action states that Claims 7 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,041,143 (*Chui et al.*); and Claims 1-6, 8-14, and 16-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Chui et al.* in view of U.S. Patent No. 5,615,282 (*Spiegel et al.*). Applicant submits that independent Claims 1, 6, 7, 9, 14, and 15, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Initially, Applicant submits that the Office Action fails to address a notable feature of Claim 1, namely "selecting a <u>resolution</u> lower than the highest of the predefined resolutions and <u>different from each of the predefined resolutions</u>." (Emphasis added.) As explained in the present specification at paragraphs [0008] and [0009], multiresolutional decoding of an image of resolution L x H pixels only makes it possible to access predefined resolutions corresponding to sizes of $(L/2^N)$ x $(H/2^N)$, where N is an integer. Consequently, neighboring predefined resolutions would necessarily differ by a resolution factor of 2 x 2 = 4.

As understood by Applicant, *Chui et al.* only use resolution levels that differ from neighboring "mid-level" resolutions by a resolution factor of four. *See Chui et al.* at col. 1, lines 16-18. Thus, *Chui et al.* only contemplate predefined resolution levels. That is, in *Chui et al.*, even mid-level resolutions are predefined at the time of encoding (*i.e.*, are elements of $(L/2^N)$ x $(H/2^N)$ where N is an integer).

Accordingly, nothing has been found in *Chui et al.* that is believed to teach, suggest, or otherwise result in "selecting a <u>resolution</u> lower than the highest of the predefined resolutions and <u>different from each of the predefined resolutions</u>," as recited in Claim 1. (Emphasis added.) Indeed, the "resolutions . . . different from each of the predefined resolutions" are not elements of $(L/2^N) \times (H/2^N)$ where N is an integer.

In addition, the Office Action cites *Chui et al.* as teaching "subsampling the decoded image." Applicant respectfully disagrees. Apparently, *Chui et al.* extract mid-resolution images without recomputing the coefficients. Particularly, the *Chui et al.* system (1) extracts a subset of the wavelet transform coefficients, (2) stores the extracted subset in a "second image data structure," and (3) reconstructs the image based on the second image data structure using an inverse wavelet transform (in other words, decoding). *See* Col. 10, lines 33-37 and 43-48. The *Chui et al.* system further codes data samples into coefficients. *See* Col. 5, lines 2 and 14. Particularly, the *Chui et al.* system extracts (encoded) coefficients, such as arrays LL, LH3, etc. *See* Col. 5, line 50; col. 9, lines 42-43 (specifying that these arrays of course contain encoded data). *Chui et al.* further operate only on encoded data *i.e.,* "wavelet coefficients." *See* Col. 13, lines 13-14. Thus *Chui et al.* do not operate on a decoded image much less "subsample[] the decoded image," as recited in Claim 1.

Moreover, because *Chui et al.* only consider resolutions which are predefined at the time of encoding, Applicants submit that *Chui et al.* teaches away from first decoding the encoded data and then subsampling the decoded data, and instead directs a person of skill in the art towards a different solution.

Accordingly, *Chui et al.* cannot possibly be said to teach, suggest or otherwise result in "subsampling the <u>decoded</u> image," as recited in Claim 1. (Emphasis added.)

Spiegel, as best understood by Applicant, relates to a method and apparatus for adapting a digital representation of a color image, particularly, the representation of tone and color images, in which a first type of region is represented in a "continuous tone" (CT) format and a second type of region is represented in a "line work" LW format. *See Spiegel* at col. 2, lines 1-55. This is totally irrelevant to the context of the features recited in Claim 1.

Nothing has been found in *Chui et al.* or *Spiegel et al.*, whether considered either separately or in any permissible combination (if any) that would teach or suggest "selecting a resolution lower than the highest of the predefined resolutions and different from each of the predefined resolutions" or "subsampling the decoded image", as recited in Claim 1.

Accordingly, Applicant submits that Claim 1 is patentable over the cited art, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claims 6, 7, 9, 14 and 15 include features similar to those discussed above in connection with Claim 1. Therefore, those claims also are believed to be patentable for at least the reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims, and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

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